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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND BRANCH

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN FRANCISCO CADILLO,

Defendant.

No. CR 12-00391 SBA

STIPULATION AND ~~PROPOSED~~
ORDER TO EXCLUDE TIME

The above-captioned matter having been heard on November 27, 2012 before U.S. Magistrate Judge Kandis A. Westmore for a report and recommendation for a change of plea, and the proposed plea agreement submitted for consideration by the Court, and the matter being set on February 19, 2013 for sentencing before U.S. District Judge Sandra Brown Armstrong, the parties request that this Court exclude time under the Speedy Trial Act between November 27, 2012 and February 19, 2013. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(1)(G).

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Such continuance is required to afford time for consideration by the Court of the proposed plea agreement to be entered into by the defendant and the government. As such, the parties respectfully request that the time between November 27, 2012 and February 19, 2013 be excluded under U.S.C. § 3161(h)(1)(G).

DATED: November 27, 2012

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/ Rodney C. Villazor
RODNEY C. VILLAZOR
Assistant United States Attorney

/s/ Linda Fullerton
LINDA FULLERTON
Attorney for Benjamin Francis Cadillo

ORDER

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for consideration of the proposed plea agreement by the Court, and in the interest of justice, pursuant to 18 U.S.C. sections 3161(h)(1)(G), an exclusion of time is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT time is excluded until February 19, 2013.

IT IS SO ORDERED.

DATED: 11/27/12

Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge

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